United Nations A/60/683

General Assembly

Distr.: General
20 February 2006
English
Original: Spanish

Sixtieth session
Agenda items 71 and 118

Human rights questions

United Nations reform: measures and proposals

Letter dated 20 February 2006 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit the following communiqué from the Permanent Mission of Cuba to the United Nations drawing attention to the attempt to impose a Human Rights Council without delay under the conditions demanded by the United States of America and its main allies, sacrificing the interests of the countries of the South.

In our opinion, it is essential for the truth to be known about the strong pressure being applied and the attempts by a number of powerful countries to distort the original aims of the exercise of replacing the discredited and manipulated Commission on Human Rights with a new inclusive body that is genuinely committed to promoting all human rights for all people on the basis of a genuine spirit of cooperation.

I should be grateful if you could arrange for this communiqué to be circulated as a document of the General Assembly under agenda items 71 and 118.

(*Signed*) Rodrigo **Malmierca**
Permanent Representative

06-24770 (E) 220206 220206

Annex to the letter dated 20 February 2006 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Communiqué from the Permanent Mission of Cuba to the United Nations

16 February 2006

Cuba will not be an accomplice to, or remain silent about, the clear attempt to impose a Human Rights Council under the conditions demanded by the United States and its main allies, in other words those who are actually responsible for discrediting and manipulating the work of the Commission on Human Rights.

Few bodies of the United Nations system have been subjected to as much political manipulation by the United States and its main Western allies as the Commission on Human Rights.

Last year, those same countries delivered the final blow to this body's credibility when they opposed the adoption of a draft resolution aimed at ending the impunity and complicit silence that European Governments and other Western allies have maintained in respect of the torture and other serious human rights violations that have become widespread at the Guantánamo naval base and other places in the name of the so-called war against terror that the authorities in Washington claim to be waging.

Those responsible for this deplorable state of affairs plan to sacrifice once again the interests of the great majorities and, in the next few days, to force a decision on the creation of the Human Rights Council, thereby meeting the needs of the imperialistic policy of the United States with the indulgence and complicity of the former European colonial metropolises.

The political manoeuvring against the expectations and demands of the peoples of the South and of the great majorities in the North started early on.

It is particularly striking that the creation of the new Human Rights Council was the only substantive issue in the report of the High-level Panel on Threats, Challenges and Change, established by the Secretary-General with renowned experts from every region of the world, that was not taken into account when proposals to reform the Organization were formulated at the September 2005 summit.

This High-level Panel proposed universal membership for the Commission on Human Rights, rejected the possibility of subjecting membership of the body to conditions or requirements and called into question the double standards imposed on its work.

The texts that have subsequently been submitted concerning the creation of the Human Rights Council have ignored these recommendations in order to accommodate the demands of the super-Power.

Why is a reduction in the number of seats on the Council still being suggested, when since the very beginning of the discussions the clear majority of Member States have demanded a body with at least 53 members?

Why the insistence on subjecting membership of the Council to the conditions demanded by the current United States administration, when the overwhelming majority of Member States have stated their opposition to those conditions?

Cuba denounces the strong pressure exerted in the past few weeks to force, in an untimely and inopportune manner, a decision allowing the Human Rights Council to be created in line with the imperialistic interests proclaimed in the "Project for the New American Century", which is the Washington hawks' plan for world domination.

Once again, the Bush administration — which asserts its right to practise torture as a tool in the fight against terror, to arbitrarily detain and to deny the most fundamental rights to countless human beings on the grounds of mere suspicions of links with terrorism, to spy on its own citizens and even to bomb cities in the name of freedom and democracy — is receiving the complicit support of its allies.

Just a few hours ago, after analysing the violations committed at the United States Government's illegitimate detention centre in the Cuban territory that it illegally occupies in Guantánamo, five special mechanisms of the Commission on Human Rights — the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Chairman of the Working Group on Arbitrary Detention — condemned the United States Government's attempts to legalize torture, to set itself up as judge, prosecutor and defender, and to violate the international human rights instruments to which Washington is a party.

This is the same Government that is now demanding a Human Rights Council created in its own image, so that it can continue manipulating, perpetrating violations and committing arbitrary acts.

Apparently, after promising to accommodate its demands, some of the main players in the process have been given the green light by Washington to force a decision in the next few days.

No one should expect Cuba to remain silent in the face of this abhorrent ruse.

Cuba will defend truth and reason to the bitter end and will work to uphold the right of the peoples of the world to have a Human Rights Council that serves their interests and responds to their hopes for a better future, a future of equity and social justice, where all persons and all peoples are respected equally.

Cuba will oppose attempts to impose special procedures, requirements or conditions on the process of becoming and remaining a member of the Council. If any Government does not deserve to be a member of the Council, it is the one that represents a State that benefited from slavery and the transatlantic slave trade, maintained a "constructive engagement" in order to prolong the existence of the apartheid regime, protects and extends impunity to the human rights violations committed by the Israeli occupier of Palestine and other Arab territories, supported bloody military dictatorships in Latin America, today tortures and murders in the name of a freedom that the majority of its own citizens do not enjoy, fails to meet its official development assistance commitments and obligations to the Third World, and threatens and attacks the countries of the South.

Many countries know this. Suffice it to recall that a few years ago, in a clear protest vote against Washington's arrogance and manipulations, the Economic and Social Council used its vote to prevent the United States from being re-elected to the Commission on Human Rights, a status that it did not regain until two complicit Governments meekly offered up their seats.

Cuba will oppose the attempt to bypass the requirement of the strictest and most equitable geographical distribution of Council seats.

Cuba will work to prevent evasion of the issue of establishing clear criteria to end the political manipulation of so-called country-specific resolutions. The selectivity and double standards employed by the United States, the European Union and other countries of the North when addressing this issue in the work of the Commission were the real cause of its crisis. Cuba cannot allow the Council to continue to be a court of inquisition against the peoples of the South, especially when today the common cause of freedom and promotion of democracy is being manipulated as a pretext to unleash "preventive wars".

Cuba will continue to insist that the achievement of the right to development, the main demand of the vast majority of people throughout the world, is given the central place that it deserves in the Council's mandate.

Cuba will also demand that due attention is given to the demands for equality of vast sectors and peoples who are subjected to discrimination and oblivion, such as indigenous peoples, people of African descent, migrants and people who practise the Islamic religion.

Cuba will fulfil its duty and responsibility at this historic time for the peoples of the South and the great majorities of the whole world.